

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 8104 of 1988

For Approval and Signature:

Hon'ble MR.JUSTICE M.S.SHAH

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1. Whether Reporters of Local Papers may be allowed : NO
to see the judgements?

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy : NO
of the judgement?

4. Whether this case involves a substantial question : NO
of law as to the interpretation of the Constitution
of India, 1950 of any Order made thereunder?

5. Whether it is to be circulated to the Civil Judge? : NO

BIPINCHANDRA VADIAL BAVISHI

Versus

COMPETENT AUTHORITY

Appearance:

MR AR THACKER for Petitioner

MR VM PANCHOLI, AGP for Respondents

CORAM : MR.JUSTICE M.S.SHAH

Date of decision: 18/06/1999

ORAL JUDGEMENT

Heard Mr AR Thacker, learned counsel for the
petitioner and Mr VM Pancholi, learned AGP for the
respondents.

2. The petitioner has challenged the order passed by
the competent authority revoking the permission granted
under Section 21 of the Urban Land (Ceiling & Regulation)
Act, 1976 and the order of the Tribunal confirming the
said order. While admitting the petition, this Court had

directed the parties to maintain status quo and not to proceed from the stage of issuance of notification under Section 10(3) of the Act. Since Section 10(3) notification could not be issued in view of the interim stay, the question of taking over possession did not arise.

3. The Urban Land (Ceiling & Regulation) Act, 1976 has been repealed by the Urban Land (Ceiling & Regulation) Repeal Act, 1999, as adopted by the Gujarat State Legislative Assembly as per the resolution dated 30th March, 1999, passed under Article 252 (2) of the Constitution. In view of the provisions of the aforesaid Repeal Act, 1999, the orders impugned in the present petition do not survive and all the proceedings under the Urban Land (Ceiling & Regulation) Act, 1976 in respect of the land in question as well as the present petition have abated.

4. The petition is accordingly disposed of as having abated. There shall be no order as to costs.

June 18, 1999 (M.S. Shah, J.)

sundar/-